

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

FILED
CLERK'S OFFICE
JUN 26 1962

PENNY GUETTI and MICHAEL
GUETTI,
Plaintiffs

V.

GUY R. CARIDDI, CARIDDI AUTO
AGENCY, KAREN SUMMER and JOHN
DOE a/k/a "Butch",
Defendants

Docket No. 04-30027-MAP

U.S. DISTRICT COURT
DISTRICT OF MASS

JOINT STATEMENT

Pursuant to Fed. R. Civ. P. 16 and 26 and L.R., D. Mass. 16.1(D), plaintiffs Penny Guetti and Michael Guetti (hereinafter “the Guettis”) and defendants Guy R. Cariddi and Karen Summer (hereinafter “Cariddi” and “Summer,” respectively) submit the following joint statement:

I. Proposed Scheduling Conference Agenda

- (1) Discussion of the facts and the law.
- (2) Settlement.
- (3) The scheduling of pre-trial and dispositive motions.

II. Magistrate Judge

There is not unanimous consent to plenary magistrate jurisdiction.

III. Settlement

The Guettis presented a written settlement proposal to defendants on or about January 7, 2004, demanding \$50,000 in compensatory damages. Cariddi responded on or about February 10, 2004, offering to take back the vehicle that forms the subject matter of the instant litigation, and to return the trade-in vehicle to the Guettis.

IV. Discovery Plan

The Guettis, Cariddi and Summer propose the following discovery plan:

- (1) Initial disclosures will be made by May 2, 2004.
- (2) Initial written discovery to be served on or before June 2, 2004.
- (3) All fact discovery, including depositions, but not including expert witness discovery, to be completed on or before November 2, 2004.
- (4) The Guettis do not anticipate calling an expert witness unless to rebut any expert called by Cariddi and/or Summer.
- (5) Cariddi and Summer shall serve the Guettis with all expert witness identification(s) and report(s) pursuant to Fed. R. Civ. P. 26(a)(2) on or before October 2, 2004.
- (6) Expert discovery completed by January 2, 2005.

V. Dispositive and Procedural Motions

- (1) All motions to amend the pleadings shall be made by November 2, 2004.
- (2) All dispositive motions shall be made by January 3, 2005.

VI. Certification

The certifications required by L.R., D. Mass. 16.1(D)(3)(a) & (b) will be filed on or before the scheduling conference.

Dated: 3/25/04

Respectfully submitted,



Jason David Fregeau, BBO No. 565657
Attorney for Plaintiffs
47 Lincoln Road
Longmeadow, MA 01106
Tel: (413) 567-2461
Fax: (413) 567-2932



Douglas J. Rose, BBO No. 629080
Attorney for Defendants
Donovan & O'Connor, LLP
1330 Mass MoCA Way
North Adams, MA 01247
Tel: (413) 663-3200
Fax: (413) 663-7970